

Inner City Press

August 16, 2022

By E-mail to Chambers

Hon. Eric R. Komitee United States District Judge
U.S. District Court, Eastern District of New York
225 Cadman Plaza East, Room 1426 S, Brooklyn, New York 11215

Re: Further Press opposition to sealing of sentencing memo / exhibit in US v. Jackson, 20-cr-476 (ERK) - reply

Dear Judge Komitee:

Thank you for docketing Inner City Press' August 12, 2022 letter opposing the sealing of a 40 minute video exhibit to the US' sentencing memo in the above-captioned case, and requesting that the government respond by today at 5 pm.

This is Inner City Press' reply. To be clear, contrary to the Government's assumption Inner City Press does not oppose its redactions, we have not been able to see any of the video, so there is no way to agree to redactions not yet done. Both prior to, and since, our August 12 submission we have asked EDNY spokesman John Marzulli about the video and proposed redaction, and about what still seems to be an untransparent policy. (Also, no answers on US v. Angwang, 20-442 (EK)).

The Government today misquotes its own August 1, 2022 letter, claiming it said it "does not contest that 'a party's sentencing submission is a judicial document.'" But simply look at the top of page 2, which continues to state "The government does contest that 'a party's sentencing submission is a judicial document.'" <https://storage.courtlistener.com/recap/gov.uscourts.nyed.454890/gov.uscourts.nyed.454890.105.0.pdf>

While not unsympathetic to the stated safety rationale, it is the basis for redacting - would it be, pixelating? - "Adult Woman" is not clear. Not having seen any of the video, nor gotten any response to reasonable requests and questions to the US Attorney's Office spokesman, Inner City Press remains opposed to the sealing and / or redactions. Respectfully submitted,

/s/

Matthew Russell Lee, Inner City Press

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